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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

TAKASHI KOSHIMIZU, ET AL.

: EXAMINER: VU, V.D.

SERIAL NO: 10/043,200 :

FILED: JANUARY 14, 2002

: GROUP ART UNIT: 2154

FOR: A CONTROL METHOD AND
SYSTEM FOR INFORMATION
DELIVERY THROUGH MOBILE
COMMUNICATIONS NETWORK :

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement stated in the Official Action dated June 15, 2005, Applicants in the above-identified patent application provisionally elect Group I, Claims 1-12, drawn to a method of allocating network resources for delivering data to client.

The Restriction Requirement asserts that the application contains claims to distinct inventions. However, MPEP §803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be of an overlapping search area. Accordingly, Applicants respectfully **traverse** the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

However, if the present Restriction Requirement is not withdrawn, examination on the merits of the Claims of Group I is believed to be in order, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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